

**NINTH SUPPLEMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE RETREAT AT BAREFOOT VILLAGE and MASTER DEED FOR RETREAT
BUNGALOWS AT BAREFOOT VILLAGE HORIZONTAL PROPERTY REGIME**

THIS NINTH SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE RETREAT AT BAREFOOT VILLAGE and MASTER DEED FOR RETREAT BUNGALOWS AT BAREFOOT VILLAGE HORIZONTAL PROPERTY REGIME, is made this 27th day of July, 2018, by BV RETREAT DEVELOPMENT CO., INC., a South Carolina corporation (hereinafter referred to as "Declarant").

WITNESSETH:

WHEREAS, Declarant heretofore executed and caused to be recorded that certain Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime ("Declaration and Master Deed") dated November 1, 2013, and recorded in the Office of the Register of Deeds for Horry County on November 6, 2013, in Deed Book 3696 at Page 2532; and

WHEREAS, Declarant, pursuant to that certain First Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded July 21, 2014 in Deed Book 3749 at Page 1691, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, Declarant, pursuant to that certain Second Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded October 29, 2015 in Deed Book 3867 at Page 167, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, Declarant, pursuant to that certain Third Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded February 10, 2016 in Deed Book 3891 at Page 2441, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, Declarant, pursuant to that certain Fourth Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded April 25, 2016 in Deed Book 3909 at Page 2816, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, Declarant, pursuant to that certain Fifth Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded September 26, 2016 in Deed Book 3951 at Page 1899, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, Declarant, pursuant to that certain Sixth Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded March 30, 2017 in Deed Book 3998 at Page 528, and recorded April 12, 2017 in Deed Book 4001 at Page 2640, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, Declarant, pursuant to that certain Seventh Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded May 11, 2018 in Deed Book 4106 at Page 1175, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, Declarant, pursuant to that certain Eighth Supplement to the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, recorded July 23, 2018 in Deed Book 4127 at Page 3133, in the Office of the Register of Deeds for Horry County, has previously amended the Declaration and Master Deed; and

WHEREAS, the aforesaid Declaration and Master Deed, provides in Article III that the Declarant has the right to modify Units previously submitted to this Declaration and Master Deed without the consent of any other owner by recording an amendment in the public records of Horry County, South Carolina; and

WHEREAS, Declarant, pursuant to the terms and conditions of the aforesaid Declaration and Master Deed and related documents herein and hereby amends the Declaration and Master Deed and related documents as set out herein for the purpose of modifying Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, previously submitted to this Declaration and Master Deed pursuant to the Sixth Supplement to Declaration and Master Deed set forth above.

NOW, THEREFORE, Declarant hereby publishes and declares that the Declaration of Covenants, Conditions and Restrictions for The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime, dated November 1, 2013 and recorded in the Office of the Register of Deeds for Horry County on November 6, 2013, in Deed Book 3696 at Page 2532 and is amended as follows in order to modify Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, as described hereinbelow, by this supplement to the Declaration of Covenants, Conditions and Restrictions for

The Retreat at Barefoot Village and Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime:

(1) Property Rights. Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, as modified, shall be subject to all the terms and provisions of the Declaration and Master Deed.

(2) Site Plan. **Exhibit "H"** as attached to the above referenced Sixth Supplement, is amended, as to Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41 only, by **Exhibit "H-10"** attached hereto as to Bungalow Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41 only.

(3) Engineer's Certificate. **Exhibit "I-10"** attached hereto is the Engineer's Certificate confirming the boundary of Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, as modified herein.

(4) **Exhibit "G"** Schedule of Assigned Values. This Supplement constitutes a modification of the boundary of Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, and related limited common elements only, and shall not modify the Schedule of Assigned Values previously assigning values to Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, which assigned values shall remain unchanged.

(5) Except as amended herein, all of the provisions of the Declaration and Master Deed, as amended, are reaffirmed and remain unchanged.

(6) The said Declaration and Master Deed is further amended in all particulars, generalities and references so as to reflect and include the modification of Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41 under the Declaration and Master Deed and to reserve the right to further amend any Bungalow Unit by recordation of a later Supplement to the Declaration and Master Deed.

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Exhibit "H-10"

SITE PLAN

RETREAT BUNGALOWS AT BAREFOOT VILLAGE
HORIZONTAL PROPERTY REGIME

MODIFIED BUNGALOW UNIT 28, BUNGALOW UNIT 29, BUNGALOW UNIT 30,
BUNGALOW UNIT 31, BUNGALOW UNIT 32, BUNGALOW UNIT 33, BUNGALOW
34, BUNGALOW UNIT 39, BUNGALOW UNIT 40 AND BUNGALOW UNIT 41

NOTE

The Site Plan described in this Exhibit "H-10" incorporates that Survey showing the vertical and horizontal location of modified Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, their boundaries, elevation and dimensions. The survey for Modified Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, as shown on that certain plat entitled " **BUNGALOWS @ THE RETREAT, CITY OF NORTH MYRTLE BEACH, HORRY COUNTY, SOUTH CAROLINA, REVISED UNIT EXHIBIT PLAT – UNITS 28 THRU 34, 39 THRU 41**", prepared for BV Retreat Development Company, Inc. by DDC Engineers, Inc., dated July 25, 2018, revised July 27, 2018, and recorded July 27, 2018, in Plat Book 282 at Page 168, in the Office of the Register of Deeds of Horry County, South Carolina, which is incorporated herein by reference and a miniaturized copy thereof has been attached to this Exhibit "H-10". This Site Plan and said Exhibit "H-10" further includes the matters set forth below, and includes the certification set forth on the survey by DDC Engineers, registered surveyors or licensed engineers of the above referenced Survey.

The modification of the Site Plan pursuant to this Ninth Supplement consists of ten (10) modified Units numbered Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41 (previously existing and now modified).

Each Unit shown upon the Survey is located by a tie line whose origin is staked with an iron pin and further shown on the Survey of the Property to this Declaration and Master Deed. The said points of origin and tie lines are shown for purposes of location and reference, and the courses and distances of each Unit shown on the Survey constitutes the Unit's perimeter. The Unit's dimensions and area so located as shown in the Survey are further described as follows:

Bottom

The bottom is an imaginary horizontal plane through a point fifty (50) feet below and parallel with an imaginary horizontal plane through a point to the at the highest elevation of ground within the Unit and shown on the Plan and extending in every direction to the point where it closes with the sides composing the vertical boundaries of the Unit.

Top

The top of the Unit is an imaginary horizontal plane intersecting the vertical planes projecting from the sides of the Unit at a point one hundred (100) feet above and parallel to the bottom plane of the Unit and extending in every direction to the point where it closes with the sides of the Unit.

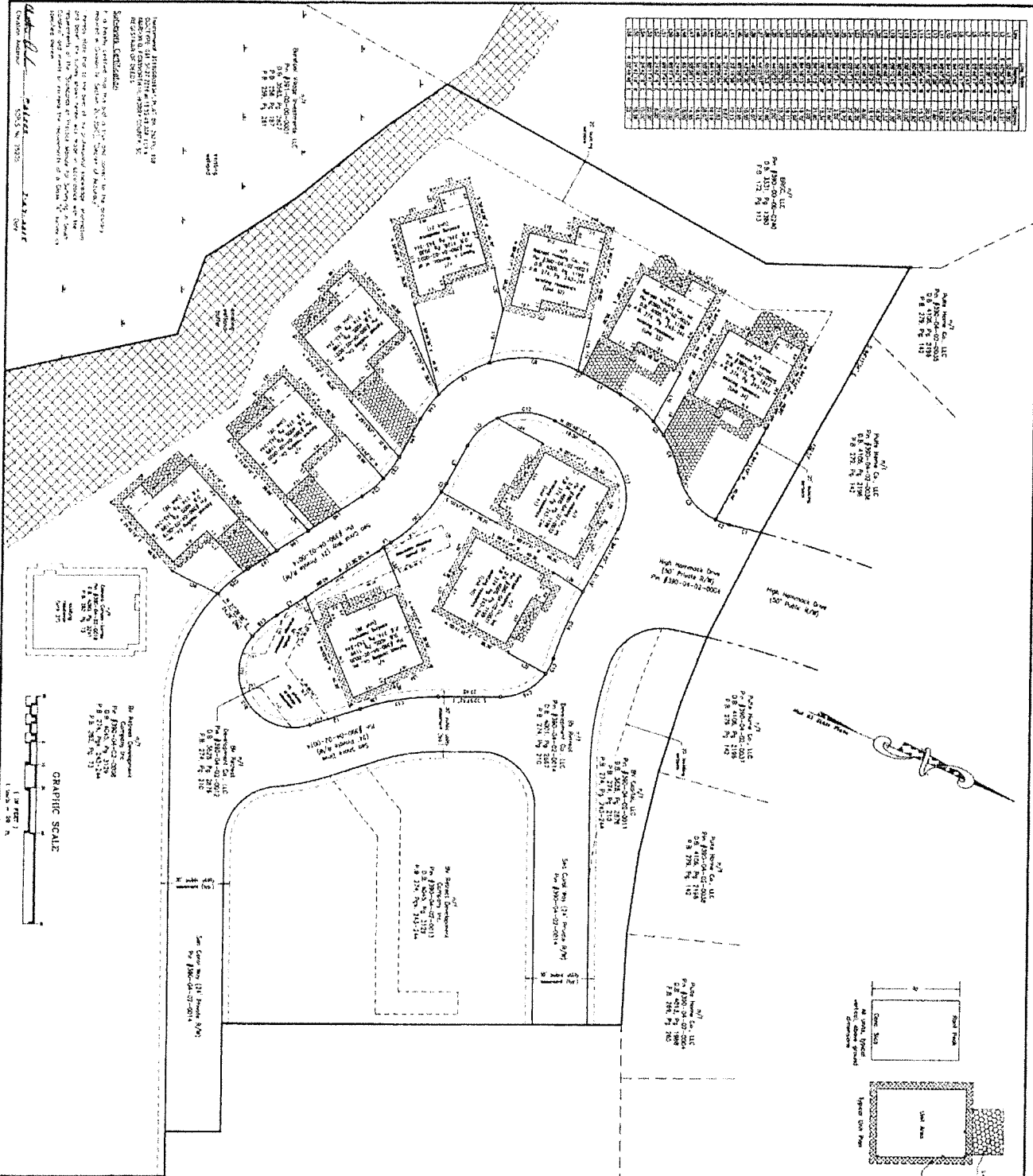
Sides

The sides of the Unit consist of imaginary vertical planes perpendicular to the top and bottom of the Unit along and coincident with the perimeter of the Unit, which perimeter is described above and graphically shown on the Plan. Each side extends upwards and downwards so as to close the area in the Unit bounded by the bottom and top hereof. The side boundary of a Unit may include a party wall as the same is defined in the Declaration and Master Deed.

A Unit is comprised of the entire volume of space within the area bounded by the bottom, sides and top of a Unit, together with those portions of the Building, the water, sewer and other utility distribution systems and other improvements located within the aforesaid boundaries which are appurtenant to the Building and are not otherwise described as Common Elements within this Declaration and Master Deed. The location of each Unit is identified on the Survey and this Site Plan by a specific number, which identification shall be sufficient to identify the Unit for all purposes. The maintenance, repair and replacement of Buildings and other items that are so deemed to be included in the Units are the responsibilities of the Owner of the Unit pursuant to Article VI of the Declaration and Master Deed.

Reference to an area as "Common Element" or "Limited Common Element" on the Survey shall be read in conjunction with the further designations of Common Element and/or Limited Common Element and elements set out in other portions of this Master Deed.

Exhibit H.



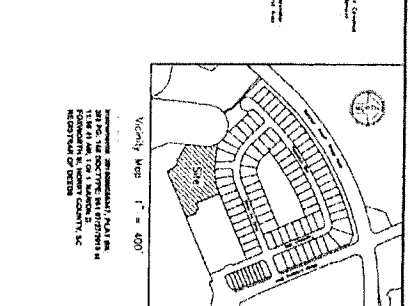
Notes:

- This drawing is a preliminary plan and is not to be used for construction without the approval of the City of North Myrtle Beach.
- The owner shall be responsible for obtaining all necessary permits and approvals from the appropriate authorities.
- The owner shall be responsible for providing all necessary utility services and connections.
- The owner shall be responsible for providing all necessary site work and improvements.
- The owner shall be responsible for providing all necessary landscaping and site furnishings.
- The owner shall be responsible for providing all necessary signage and wayfinding.
- The owner shall be responsible for providing all necessary security and access control.
- The owner shall be responsible for providing all necessary maintenance and repair services.
- The owner shall be responsible for providing all necessary insurance and bonding.
- The owner shall be responsible for providing all necessary legal and administrative services.

No.	Date	Revision	By
1	11/17/18	Proposed per City of NMB	CLP
2	1/15/19	City of NMB	CLP
3	1/15/19	City of NMB	CLP
4	1/15/19	City of NMB	CLP
5	1/15/19	City of NMB	CLP
6	1/15/19	City of NMB	CLP
7	1/15/19	City of NMB	CLP
8	1/15/19	City of NMB	CLP
9	1/15/19	City of NMB	CLP
10	1/15/19	City of NMB	CLP
11	1/15/19	City of NMB	CLP
12	1/15/19	City of NMB	CLP
13	1/15/19	City of NMB	CLP
14	1/15/19	City of NMB	CLP
15	1/15/19	City of NMB	CLP
16	1/15/19	City of NMB	CLP
17	1/15/19	City of NMB	CLP
18	1/15/19	City of NMB	CLP
19	1/15/19	City of NMB	CLP
20	1/15/19	City of NMB	CLP

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Bungalows @ The Retreat
City of North Myrtle Beach, Horry County, South Carolina

Revised Unit Exhibit Plat - Units 28 thru 34, 39 thru 41

Prepared For: **BT Retreat Development Company, Inc.**
300 North Myrtle Beach Highway, Suite 101
Myrtle Beach, SC 29577

No.	Date	Revision	By
1	11/17/18	Proposed per City of NMB	CLP
2	1/15/19	City of NMB	CLP
3	1/15/19	City of NMB	CLP
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8	1/15/19	City of NMB	CLP
9	1/15/19	City of NMB	CLP
10	1/15/19	City of NMB	CLP
11	1/15/19	City of NMB	CLP
12	1/15/19	City of NMB	CLP
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15	1/15/19	City of NMB	CLP
16	1/15/19	City of NMB	CLP
17	1/15/19	City of NMB	CLP
18	1/15/19	City of NMB	CLP
19	1/15/19	City of NMB	CLP
20	1/15/19	City of NMB	CLP

Robert E. Swift
Professional Engineer
License No. 11718
State of South Carolina

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State of South Carolina

DDC ENGINEERS

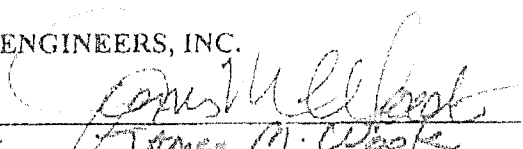
Exhibit "I-10"

ENGINEER'S CERTIFICATE

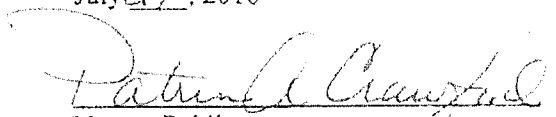
Pursuant to S.C. Code Ann. § 27-31-110 (1976), I certify the site plan described in the Ninth Supplement to Master Deed for Retreat Bungalows at Barefoot Village Horizontal Property Regime and further referenced and included in Exhibit "H-10" to said Master Deed (Exhibit "H-10" being attached and incorporated fully by reference into the Master Deed) fully depict and graphically show the following with regard to Bungalow Unit 28, Bungalow Unit 29, Bungalow Unit 30, Bungalow Unit 31, Bungalow Unit 32, Bungalow Unit 33, Bungalow 34, Bungalow Unit 39, Bungalow Unit 40 and Bungalow Unit 41, as modified, within the Retreat Bungalows at Barefoot Village Horizontal Property Regime (i) the location of the buildings and improvements, (ii) the layout, dimensions, location, and area of each Unit, and (iii) the dimension, area, and location, of the General and Limited Common Elements.

ENGINEER:

DDC ENGINEERS, INC.

By: 
Name: James M. Wooten
Engineer's S.C. License No.: 09160

Myrtle Beach, South Carolina
July 27, 2018


Notary Public

My Commission Expires: 7/12/27